

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JUSTIN JAMES HINZO,

Plaintiff,

v.

CIV 10-0506 JB/CG

STATE OF NEW MEXICO
DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

ORDER GRANTING MOTION TO WITHDRAW

THIS MATTER comes before the Court on attorney Edward Shepherd's *Renewed Motion to Withdraw as Counsel*. (Doc. 43). Mr. Shepherd seeks to withdraw as counsel for the New Mexico Department of Corrections ('DOC'), a defendant in this action. Mr. Shepherd states that he has been representing the DOC upon the request of Admiral Insurance Company - the insurance company for Wexford Medical Services - pursuant to a tender of defense. (*Id.* at 1). Mr. Shepherd states that Admiral Insurance has withdrawn its tender of defense and that the DOC has not responded to requests that it enter into a fee agreement with Mr. Shepherd's firm so that Mr. Shepherd can continue his representation. (*Id.* at 1; Doc. 43, Ex. A).

Mr. Shepherd's motion complies with the requirements of D.N.M.L.R. 83.8. He has served the motion to withdraw on all parties, and has given notice that any party may object to the withdrawal within fourteen days of the date of service. (Doc. 43 at 1). No party has objected to Mr. Shepherd's withdrawal.

IT IS THEREFORE ORDERED that attorney Edward Shepherd's *Renewed Motion to Withdraw as Counsel*, (Doc. 43), be **GRANTED**.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE